

Please find below and/or attached an Office communication concerning this application or proceeding.

DATE MAILED: 04/16/2002

3641

GENERAL ELECTRIC COMPANY	ATTORNEY DOCKET NO.	CONFIRMATION NO.
P O BOX 8	RD-24,364	8533
CRD PATENT DOCKET ROOM 4A59	04/16/2002	6147 7590
EXAMINER	Raymond Grant Rose	09/773,782
PALABRICA, RICARDO J		
BUILDING K 1 SALAMONE		
SCHENECTADY, NY 12301		
ART UNIT		
PAPER NUMBER		

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THE MAILING DATE OF THIS COMMUNICATION.  
EXENSIONS OF TIME MAY BE AVAILABLE UNDER THE PROVISIONS OF 37 CFR 1.136(a). IN NO EVENT, HOWEVER, MAY A REPLY BE TIMELY FILED  
AFTER SIX (6) MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

Office Action Summary			
Applicant(s)	Application No.	Examiner	Art Unit
ROWE ET AL.	09/773,782	RICK PALABRICA	3641

separate utility such as a material for making a nuclear fuel channel box. Particulars of the subcombination regarding creep resistance. The subcombination has 806.05(c)). In the instant case, the combination as claimed does not require the that the subcombination has utility by itself or in other combinations (MPEP § not require the particulars of the subcombination as claimed for patentability, and (2) this relationship are distinct if it can be shown that (1) the combination as claimed does inventions I and II are related as combination and subcombination. Inventions in claims 1 and 7, respectively).

cladding, even though the applicant recited them as dependent from alloy claims 8 and 9 properly belonging to Group III because they pertain to the made of zirconium alloy), classified in class 376, subclass 416. (Note: claims 8, 9 and 14-17, drawn to product combination (fuel cladding zirconium alloy), classified in class 148, subclass 237.

III. Claims 8, 9 and 14-17, drawn to product combination (fuel cladding zirconium alloy), classified in class 376, subclass 900.

II. Claims 10-13, drawn to a process (manufacturing creep-resistant zirconium alloy), classified in class 376, subclass 900.

I. Claims 1-7, drawn to a product subcombination (creep resistant restriction to one of the following inventions is required under 35 U.S.C. 121:

#### Election/Restrictions

#### DETAILED ACTION

inventions II and (I, III) are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the process can be used to make other creep-resistant refractory metals such as titanium.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group (I, III) is not required for Group II restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group III restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II restriction for examination purposes as indicated is proper.

2. Applicant is advised that the reply to the election requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

April 12, 2002  
RJP

TECHNOLOGY CENTER 3600  
SUPERVISORY PATENT EXAMINER  
CHASSEZ, JORIAN  
*Chassey T. Jordan*

1113.

proceeding should be directed to the receptionist whose telephone number is 703-308-

Any inquiry of a general nature or relating to the status of this application or

for regular communications and 703-305-0285 for After Final communications.

for the organization where this application or proceeding is assigned are 703-305-0285

supervisor, Michael Carone can be reached on 703-306-4198. The fax phone numbers

if attempts to reach the examiner by telephone are unsuccessful, the examiner's

5756. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

examiner should be directed to Rick Palabrica whose telephone number is 703-306-

4. Any inquiry concerning this communication or earlier communications from the

### Conclusion

traversed (37 CFR 1.143).

include an election of the invention to be examined even though the requirement be

3. Applicant is advised that the reply to this requirement to be complete must